Contract Compliance Programs. Effective August 9, 1996.

Special Assistant to the Assistant Secretary for Public Affairs. Effective August 20, 1996.

Secretary's Representative, Philadelphia, PA to the Associate Director, Office of Congressional and Intergovernmental Affairs. Effective August 29, 1996.

Staff Assistant to the Chief of Staff. Effective August 29, 1996.

Department of State

Senior Advisor to the Assistant Secretary, Bureau of South Asian Affairs. Effective August 14, 1996.

Resources, Plans and Policy Advisor to the Director, Office of Resources, Plans and Policy. Effective August 22, 1996.

Foreign Affairs Officer to the Deputy Secretary, Office of the Deputy Secretary of State. Effective August 26, 1996.

Department of Transportation

Special Assistant to the Administrator, Research and Special Programs Administration. Effective August 9, 1996.

Department of the Treasury

Principal Senior Advisor to the Under Secretary (Enforcement). Effective August 20, 1996.

Equal Employment Opportunity Commission

Special Assistant to the Director, Office of the Communications and Legislative Affairs. Effective August 15, 1996.

Federal Housing Finance Board

Special Assistant to the Chairman. Effective August 13, 1996.

Federal Mine Safety and Health Review Commission

Confidential Assistant to the Commissioner. Effective August 9, 1996.

Office of Management and Budget

Special Assistant to the Director, Office of Management and Budget. Effective August 20, 1996.

Securities and Exchange Commission

Confidential Assistant to the Director of Public Affairs, Policy Evaluation and Research. Effective August 22, 1996.

Selective Service System

Executive Director to the Director of Selective Service. Effective August 9, 1996.

United States Tax Court

Secretary (Confidential Assistant) to the Judge. Effective August 16, 1994.

Authority: 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR 1954–1958 Comp., P. 218.

Office of Personnel Management.

Lorraine A. Green,

Deputy Director.

[FR Doc. 96–24832 Filed 9–26–96; 8:45 am]

BILLING CODE 6325–01–M

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Rel. No. 22243; 812–10270]

The Pilot Funds, et al.; Notice of Application

September 23, 1996.

AGENCY: Securities and Exchange Commission (''SEC'').

ACTION: Notice of Application for Exemption under the Investment Company Act of 1940 (the ''Act'').

APPLICANTS: The Pilot Funds (''Trust''), on behalf of Pilot Growth Fund, Pilot Growth and Income Fund, Pilot Short-Term Diversified Assets Fund, and Pilot Diversified Bond Income Fund (''Acquiring Funds''), FUNDS IV Trust (''Funds IV''), on behalf of Aggressive Stock Appreciation Fund, Stock Appreciation Fund, Value Stock Appreciation Fund, Bond Income Fund, Intermediate Bond Income Fund, and Cash Reserve Money Market Fund (''Reorganizing Funds''), Boatmen's Trust Company (''BTC''), and BANK IV, N.A.

RELEVANT ACT SECTIONS: Order requested under section 17(b) granting an exemption from section 17(a).

SUMMARY OF APPLICATION: Applicants request an order under section 17(b) granting an exemption from section 17(a) to permit each Acquiring Fund to acquire all of the assets and assume all of the stated liabilities of its corresponding Reorganizing Fund or Funds.

FILING DATES: The application was filed on July 25, 1996. Applicants have agreed to file an amendment during the notice period, the substance of which is included in this notice.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on October 15, 1996, and should be accompanied by proof of service on the applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request such notification by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, N.W., Washington, D.C. 20549. Applicants: Trust, 3435 Stelzer Road, Columbus, Ohio 43219; Funds IV, 237 Park Avenue, New York, New York 10019; BTC, 100 North Broadway, St. Louis, Missouri 63178; Bank IV, N.A., 100 North Broadway, Wichita, Kansas 67202.

FOR FURTHER INFORMATION CONTACT: Harry Eisenstein, Staff Attorney, at (202) 942–0552, or Mercer E. Bullard, Branch Chief, at (202) 942–0564 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee from the SEC's Public Reference Branch.

Applicants' Representations

1. The Trust, organized as a Massachusetts business trust, and Funds IV, organized as a Delaware business trust, are registered under the Act as open-end management investment companies. BTC acts as investment adviser to each Acquiring Fund. Bank IV, N.A. acts as investment adviser to each Reorganizing Fund, except the Cash Reserve Money Market Fund, which is advised by AMR Investment Services, Inc. (''AMR''). Bank IV, N.A. and BTC are wholly-owned subsidiaries of Boatmen's Bancshares, Inc.

2. BTC, Bank IV, N.A. and their respective affiliates hold of record 99% of the total outstanding shares of each Reorganizing Fund, 96% of Pilot Growth and Income Fund, and 79% of Pilot Short-Term Diversified Assets Fund.[1] Except with respect to certain defined benefit plans sponsored by BTC, Bank IV, N.A. and their affiliates, (a) none of BTC, Bank IV, N.A. or any of their affiliates has any economic interest in any of such shares, and (b) all such shares being held of record by BTC, Bank IV, N.A. and their affiliates are held for the benefit of others in a trust, agency or other fiduciary or representative capacity. In some instances, any of BTC, Bank IV, N.A. and their affiliates may hold or share voting discretion, investment discretion

[1] Pilot Growth Fund and Pilot Diversified Bond Income Fund have not commenced operations as of the date of this Application and do not presently intend to commence operations prior to the effectiveness of the proposed transactions.

or both with respect to the shares held of record thereby.

3. Each Acquiring Fund and its corresponding Reorganizing Fund have substantially similar investment objectives and policies. Each Reorganizing Fund offers two classes of shares, Service Class and Premium Class. The Premium Class shares outstanding of each Reorganizing Fund represent less than 1% of the outstanding shares of each such Fund. All outstanding shares of the Premium Class of each of the Reorganizing Funds are held by Furman Selz LLC, which provides certain management and administrative services necessary for the operation of the Reorganizing Funds. Those Premium Class shares will be redeemed prior to the effectiveness of the proposed transactions. Service Class shares are offered primarily to persons purchasing through a trust investment manager or an account managed or administered by Bank IV, N.A.

4. Each of the Acquiring Funds, except Pilot Short-Term Diversified Assets Fund, offers three classes of shares, Class A, Class B and Pilot Shares. Pilot Short-Term Diversified Assets Fund offers three classes of shares, Administration Shares, Investor Shares, and Pilot Shares. Pilot Shares of each Acquiring Fund only are sold to persons or entities with trust, fiduciary, custodial or investment management accounts with BTC or its affiliates.

5. Each Acquiring Fund will acquire all of the assets and assume all of the stated liabilities of its corresponding Reorganizing Fund or Funds in exchange for Pilot Shares of the Acquiring Fund (a ''Reorganization''). Service Class shares are not subject to an initial or contingent deferred sales charge or any redemption or exchange fee. The Service Class Shares are subject to a 12b–1 plan which provides for a payment of up to .25% of average daily net assets, but these fees have been waived. No initial or contingent deferred sales charge, 12b–1 fee, or account administration fee is imposed on any Pilot Shares.

6. Immediately after a Reorganization, Pilot Shares of the Acquiring Fund will be distributed to shareholders of the corresponding Reorganizing Fund. Specifically, shares of Pilot Growth Fund will be distributed to shareholders of Aggressive Stock Appreciation Fund, shares of Pilot Growth and Income Fund to shareholders of Stock Appreciation Fund and Value Stock Appreciation Fund, shares of Pilot Short-Term Diversified Assets Fund to shareholders of Cash Reserve Money Market Fund, and shares of Pilot Diversified Bond Income Fund to shareholders of Bond Income fund and Intermediate Bond Income Fund. The number of shares in an Acquiring Fund to be issued in exchange for each share of the corresponding Reorganizing Fund will be determined on the basis of the relative net asset values per share and the aggregate net assets of the Acquiring Fund computed as of the date that Reorganization is consummated (''Closing Date'').

7. The Board of Trustees of each of the Trust and Funds IV approved a reorganization agreement on May 21, 1996, and May 10, 1996, respectively (''Reorganization Agreement''). Each Board of Trustees, including a majority of trustees who are not ''interested persons'' as defined in section 2(a)(19) of the Act, found that participation in the Reorganizations was in the best interest of each Acquiring Fund and Reorganizing Fund, respectively, and that the interests of existing shareholders of the Funds would not be diluted as a result of the Reorganizations. Each Board of Trustees considered the following factors: (a) The Reorganizations will be effected at net asset value; (b) unamortized expenses of each Reorganizing Fund as of the Closing Date and all other costs of the Reorganizing and Acquiring Fund associated with the Reorganizations will be paid by BTC; (c) each Reorganizing Fund will distribute all of its taxable income for the taxable year ending on or prior to the Closing Date and net capital gains realized in such year; (d) shareholders of each Reorganizing Fund must approve the Reorganization Agreement; (e) each Reorganization is expected to be tax-free to the parties thereto and their shareholders; (f) BTC and Bank IV, N.A. have shared investment research and reported within a common line of supervision (except to the extent portfolio management is performed by AMR) since the merger of their respective parent companies; and (g) the investment objectives and policies of each Reorganizing Fund and its corresponding Acquiring Fund are substantially similar.

8. BTC has voluntarily agreed to limit through January 31, 1998 the actual total operating expense ratio of each Acquiring Fund to the actual total operating expense ratio (''Expense Ratio'') of the corresponding Reorganizing Fund, as of January 31, 1996. If more than one Reorganizing Funds is merging into an Acquiring Fund, the Reorganizing Fund having the lower Expense Ratio as of January 31, 1996 will be the ''corresponding'' Reorganizing Fund for purposes of the foregoing sentence.

9. Either the Trust or Funds IV may terminate the Reorganization Agreement (a) on or prior to December 31, 1996, with the consent of the other or (b) after that date by either party on written notice at any time prior to the consummation of the Reorganizations, if the conditions to that party's obligation to perform have not been satisfied. The Trust and Funds IV agree not to make any changes to the Reorganization Agreement that would have a material adverse effect on the application without prior SEC approval.

Applicants' Legal Analysis

1. Section 17(a) of the Act, in relevant part, prohibits an affiliated person of a registered investment company, or any affiliated person of such a person, acting as principal, from selling to or purchasing from such registered company, or any company controlled by such registered company, any security or other property.

2. Section 2(a)(3) of the Act defines the term ''affiliated person'' of another person to include any person directly or indirectly owning, controlling, or holding with power to vote, five percent or more of the outstanding voting securities of such other person.

3. Rule 17a–8 under the Act exempts from the prohibitions of section 17(a) mergers, consolidations, or purchases or sales of substantially all of the assets of registered investment companies that are affiliated persons solely by reason of having a common investment adviser, common directors, and/or common officers, provided that certain conditions set forth in the rule are satisfied.

4. Applicants may not rely on rule 17a–8 in connection with the Reorganizations because the Acquiring Funs and the Reorganizing Funds may be deemed to be affiliated for reasons other than those set forth in the rule. As noted above, BTC, Bank IV, N.A. and their affiliates hold of record more than 5% of the outstanding shares of each of the Reorganizing Funds, Pilot Growth and Income Fund, and Pilot Short-Term Diversified Assets Fund.

5. Section 17(b) of the Act provides that the SEC may exempt a transaction from the provisions of section 17(a) if evidence establishes that the terms of the proposed transactions, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, and that the proposed transaction is consistent with the policy of the registered investment company concerned and with the general purposes of the Act.

6. Applicants submit that each Reorganization meets the standard for relief under section 17(b), in that the terms of each Reorganization are reasonable and fair and do not involve overreaching on the part of any person concerned; and each Reorganization is consistent with the general purposes of the Act and with the policies of the respective Acquiring Fund and the corresponding Reorganizing Fund.

For the SEC, by the Division of Investment Management, under delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–24861 Filed 9–26–96; 8:45 am]

BILLING CODE 8010–01–M

Sunshine Meeting Act

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meeting during the week of September 30, 1996.

A closed meeting will be held on Monday, September 30, 1996, at 10:00 a.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4), (8), (9)(A) and (10) and 17 CFR 200.402(a)(4), (8), (9)(i) and (10), permit consideration of the scheduled matters at the closed meeting.

Commissioner Wallman, as duty officer, voted to consider the items listed for the closed meeting in a closed session.

The subject matter of the closed meeting scheduled for Monday, September 30, 1996, at 10:00 a.m., will be:

Institution and settlement of injunctive actions.

Institution and settlement of administrative proceedings of an enforcement nature.

Formal orders of investigation.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: The Office of the Secretary at (202) 942–7070.

Dated: September 25, 1996.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–24990 Filed 9–25–96; 12:58 pm]

BILLING CODE 8010–01–M

[Release No. 34–37711; File No. SR–PSE–96–17]

Self-Regulatory Organizations; Pacific Stock Exchange, Inc.; Order Granting Approval to Proposed Rule Change Relating to Joint Accounts

September 23, 1996.

I. Introduction

On June 11, 1996 the Pacific Stock Exchange, Inc. (''PSE'' or ''Exchange'') submitted to the Securities and Exchange Commission (''SEC'' or ''Commission''), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] a proposed rule change to eliminate a provision that prohibits members who are registered to trade for the same joint account from having overlapping primary appointment zones on the Options Floor.

The proposed rule change was published for comment in Securities Exchange Act Release No. 37365 (June 25, 1996), 61 FR 34917 (July 3, 1996). No comments were received on the proposal.

II. Description of the Proposal

PSE Rule 6.35 currently provides that each market maker shall be assigned a Primary Appointment Zone comprising a minimum of one trading post up to a maximum of six contiguous trading posts.[3] Under Commentary .03 to PSE Rule 6.35, at least 75% of the trading activity of a market maker (measured in terms of contract volume per quarter) shall be in classes of option contracts to which his or her primary appointment extends.[4]

With regard to joint accounts, PSE Rule 6.84, Commentary .05 currently provides that the primary appointment of a market maker may not include trading posts which constitute the primary appointment of any market maker with whom he or she has a joint account. The rule further provides that, for the purposes of evaluating market maker performance in accordance with PSE Rule 6.37, Commentary .04, contract volume in the joint account will be assigned to the participants who effected the transactions for the joint account, under the same guidelines as if they effected the transactions for their own account.

The Exchange proposes to eliminate the provision in Commentary .05 to Rule 6.84 that prohibits joint account participants from having overlapping primary appointment zones. The Exchange believes that this rule places an unnecessary burden on member firms with joint accounts that may desire to have overlapping primary zones for their market makers in order to allow for continuous coverage when participant market makers are temporarily absent from the floor due to illness or vacation. The Exchange also believes that the current procedure of requiring substitute market makers to seek an exemption from Rule 6.35 (or alternatively to assure that the volume of their trading outside their primary zone does not exceed 25% of their total volume), is not efficient. Moreover, the Exchange believes that Rule 6.40, Financial Arrangements of Market Makers, which prohibits participants in the same joint account from trading in the same trading crowd at the same time, will address any concerns that joint account participants may attempt to dominate unfairly the market in a particular option issue or option series.[5]

Finally, the Exchange proposes, for purposes of greater clarity, to eliminate the cross-reference to Rule 6.37, Commentary .04 that is contained in Rule 6.84, Commentary .05 and to replace it with a cross reference to Rule 6.35, Commentary .03.

III. Discussion

After careful review, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the Rules and regulations thereunder applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b).[6] In particular, the Commission believes the proposal is consistent with the Section 6(b)(5) of the Act in that the proposal is designed to facilitate transactions in securities, to remove impediments to a free and open market, and to promote just and equitable principles of trade.

[1] 15 U.S.C. § 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Previously, market makers were restricted to Primary Appointment Zones comprising one trading post or two contiguous trading posts. *See* Securities Exchange Act Release No. 363370 (October 13, 1995), 60 FR 54273 (approving increase from two to six in the maximum number of trading posts that may be included in each market maker's Primary Appointment Zone).

[4] PSE Rule 6.35, Commentary .03 provides an exception for unusual circumstances.

[5] *See also* Securities Exchange Act Release No. 37543 (August 8, 1996), 61 FR 42458 (August 15, 1996).

[6] 15 U.S.C. § 78f(b).